

Message Text

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ACTION ARA-10

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E.O. 11652: N/A
TAGS: SNAR, CO
SUBJECT: NARCOTICS: TWO COLOMBIAN COURT CASES

1. TWO RECENT COLOMBIAN COURT ACTIONS IN VOIDING WHAT WOULD HAVE APPEARED TO BE CLEAR-CUT CASES POINT OUT DIFFICULTY AND UNCERTAINTY HERE OF BEING TO TRIAL AND CONVICTING ON CHARGES OF NARCOTICS TRAFFICKING. WITHOUT GOING INTO LEGAL DETAILS, SUBSTANCES OF TWO CASES IS AS FOLLOWS.

2. BOATSWAIN GENARO ARIAS LONDONO, THE ONLY CREWMEMBER TO STAND TRIAL FOR SMUGGLING COCAINE ON THE COLOMBIAN NAVY TRAINING SHIP "GLORIA" DURING ITS PARTICIPATION IN THE US BICENTENNIAL, WAS ACQUITTED BY A MILITARY COURT IN CARTAGENA ON MARCH 9. TWO JUDGES VOTED FOR ACQUITTAL WHILE THE THIRD VOTED FOR CONVICTION.

3. THE COLOMBIAN SUPREME COURT HAS UPHELD THE ACTION OF A CALI MUNICIPAL JUDGE IN RELEASING "COCAINE KING" BENJAMIN HERRERA ZULETA ON A WRIT OF HABEAS CORPUS FOLLOWING A FEBRUARY 1976 ARREST. THE SUPREME COURT CONCLUDED THAT THE PROPER CHARGES HAD NOT BEEN FILED AGAINST HERRERA WITHIN THE LEGALLY SPECIFIED TIME AND THAT THE LOWER COURT JUDGE'S ACTION WAS PROPER. THE CONDITIONS SURROUNDING HERRERA'S RELEASE WERE STRANGE ENOUGH THAT ATTORNEY GENERAL SERRANO RUEDA HAD TAKEN THE UNUSUAL STEP
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OF PERSONNEL GOING TO CALI TO FILE CHARGES OF "COLLUSION" AGAINST THE JUDGE IN QUESTION. UNAVOIDABLE ASSUMPTION IS THAT INFLUENCE AND PAY-OFFS WERE USED TO DELAY INVESTIGATION AND FILING OF CHARGES.
SANCHEZ

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Message Attributes

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